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13 *Bank of America, N.A., successor by merger*  
14 *to BAC Home Loans Servicing LP f/k/a*  
15 *Countrywide Home Loans Servicing LP*

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 BANK OF AMERICA, N.A., SUCCESSOR BY  
19 MERGER TO BAC HOME LOANS  
20 SERVICING, LP FKA COUNTRYWIDE  
21 HOME LOANS SERVICING, LP,

22 Plaintiff,

23 v.  
24 LAKE MEAD COURT HOMEOWNERS'  
25 ASSOCIATION, SFR INVESTMENTS POOL  
1, LLC, AND ALESSI & KOENIG, LLC,  
26 Defendants.

27 Case No.: 2:16-cv-00504-GMN-NJK

28 **STIPULATION AND ORDER TO  
EXTEND DISPOSITIVE MOTIONS  
DEADLINE PENDING RULING ON  
MOTION FOR PROTECTIVE ORDER**

29 **[FIRST REQUEST]**

30 SFR INVESTMENTS POOL 1, LLC, a Nevada  
31 limited liability company,

32 Counter/Cross Claimant,

33 vs.

34 BANK OF AMERICA, N.A., SUCCESSOR BY  
35 MERGER TO BAC HOME LOANS  
36 SERVICING , LP FKA COUNTRYWIDE  
37 HOME LOANS SERVICING, LP, and CARLOS  
38 NEVAREZ, an individual,

39 Counter/Cross-Defendants

1 Plaintiff and counter-defendant Bank of America, N.A., successor by merger to BAC Home  
2 Loans Servicing, LP f/k/a Countrywide Home Loans Servicing LP (**BANA**); defendant Lake Mead  
3 Court Homeowners Association; and defendant and cross-claimant SFR Investments Pool 1, LLC  
4 stipulate to extend the dispositive motions deadline until seventy five (75) days after the Court enters  
5 an order on BANA's motion for protective order, ECF No. 70, as follows:

6 1. BANA filed its complaint on March 8, 2016 asserting a quiet title/declaratory  
7 judgment claim against all defendants, breach of NRS 116.1113 and wrongful foreclosure claims  
8 against Lake Mead and Alessi, and an injunction claim against SFR. (ECF No. 1.)

9 2. The Court entered an initial discovery plan and scheduling order on May 9, 2016,  
10 setting a November 25, 2016 dispositive motions deadline. (ECF No. 25.)

11 3. The Court administratively stayed this case pending exhaustion of all appeals in  
12 *Bourne Valley Court Trust v Wells Fargo Bank, N.A.*, Ninth Cir. Case No. 15-15233 on September  
13 20, 2016. (ECF No. 56.) The case remained stayed until November 3, 2017. (ECF No. 63.)

14 4. The parties subsequently filed an amended discovery plan and scheduling order on  
15 December 5, 2017, setting a February 5, 2018 discovery cut-off and a March 7, 2018 dispositive  
16 motions deadline. (ECF No. 66.) The Court approved the amended discovery plan. (ECF No. 68.)

17 5. SFR noticed BANA's Rule 30(b)(6) deposition on January 2, 2018. (ECF No. 70-1,  
18 at 12.) BANA initially disputed seven of the thirteen noticed topics. The parties resolved their  
19 dispute regarding four topics during their meet and confer. BANA moved for a protective order  
20 regarding the remaining three on January 24, 2018, ECF No. 70, and SFR agreed to hold BANA's  
21 deposition in abeyance pending a ruling. The parties completed the briefing on BANA's motion on  
22 February 21, 2018, ECF No. 75, and do not anticipate a ruling before the current March 8, 2018  
23 dispositive motions deadline.

24 6. To allow time for the Court to rule on BANA's motion for protective order, ECF No.  
25 70, to allow time to complete BANA's deposition after the Court makes its ruling, and to avoid  
26 additional Rule 56(d) motions, the parties stipulate to extending the dispositive motions deadline  
27 until seventy five (75) days from the date the Court enters an order on BANA's motion for protective  
28 order, ECF No. 70. The parties further stipulate SFR shall have forty five (45) days to complete

BANA's deposition after the Court enters an order. The parties select these deadlines to allow sufficient time to coordinate a deposition and obtain transcripts before filing dispositive motions.

7. The parties do not file this stipulation with the intent to delay, but instead to streamline the anticipated summary judgment briefing and avoid additional Rule 56(d) motions.

This the 2nd day of March, 2018.

This the 2nd day of March, 2018.

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This the 2nd day of March, 2018.

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**IT IS SO ORDERED.**

UNITED STATES MAGISTRATE JUDGE

DATED: March 8, 2018